

Application No.: 09/975,558

Docket No.: 2093-002B

AMENDMENTS TO THE DRAWINGS:

Per the Examiner's request, please enter the following replacement drawings which do not include new matter.

Attachment: Replacement Sheet(s)

Application No.: 09/975,558Docket No.: 2093-002B**REMARKS**

Applicants appreciate the Examiner's thorough review of the present application, and respectfully request reconsideration in light of the preceding amendments and the following remarks.

Claims 9-26 are pending in the application. Claims 1-8 have been cancelled without prejudice or disclaimer. Claims 9 and 11 have been rewritten in independent form including all limitations of base claim 8. New claims 12-26 have been added to provide Applicants with the scope of protection to which they are believed entitled. The new claims are readable on the elected invention. Replacement drawings are attached per the Examiner's request. No new matter has been introduced through the foregoing amendments.

The objection to the drawings is believed overcome in view of the attached replacement drawings.

The double patenting rejection of claims 8-11 over claims 8-9 of the copending application is traversed, because claims 8-9 of the copending application have been canceled by an Amendment filed February 2003.

The 35 U.S.C. 102(b) rejection of claims 9-11 as being anticipated by *Kossak et al.* is traversed, because the reference does not appear to fairly teach or disclose the limitations of claims 9-11.

Claim 9 recites an actuating mechanism that includes a brake engageable with a second tensioning mechanism. Claim 9 finds support in FIG. 10 where it is disclosed that the actuating mechanism 102 includes a brake 106 engageable with a second tensioning mechanism 32. See also page 11, lines 8-9 of the specification.

In *Kossak et al.*, the second tensioning mechanism appears to be 275 depicted in FIG. 5 and

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comprising ridges 277, shaft 279, hub 280 and teeth 284. See also *Kossak et al.* at column 15, lines 24-33 and claim 27. The second tensioning mechanism of *Kossak et al.* is not disclosed to be engageable with a brake of the actuating mechanism, for example, 1082 in FIG. 17. Thus, claim 9 is not anticipated by *Kossak et al.*

Claim 10 has been amended to depend from claim 9 and is not anticipated by *Kossak et al.* Claims 12-15 depend from claim 9 and are not anticipated by *Kossak et al.*

Claim 11 recites a ratchet arm pivotally mounted to the housing, a pawl mounted to one end of said ratchet arm, a cam follower connected to the pawl, and a spring biasing the ratchet arm into a home position, said cam follower engaging a cam surface of a trigger in said actuating mechanism, whereby depressing of said trigger causes said pawl and said ratchet arm to pivot about the pivot axis of said ratchet arm, enabling the pawl to engage the ratchet and rotate the same and thereby the take-up spool. Claim 11 finds support in FIG. 10, where it is disclosed that a rotatable ratchet arm 114 has a pawl 140 mounted thereto, a cam follower 134 is connected to the pawl 140 via cap 130, and a spring 122 biases the ratchet arm 114 into a home position (FIG. 10). The cam follower 134 engages a cam surface 136 of a trigger 102, whereby depressing of said trigger causes said pawl and said ratchet arm to pivot about the pivot axis of said ratchet arm, enabling the pawl to engage the ratchet and rotate the same and thereby the take-up spool.

The Examiner is relying on *Kossak et al.* at column 33, lines 14-29 for the limitations of claim 11. Applicants respectfully disagree, because the cited portion of *Kossak et al.* does not fairly teach or disclose the above highlighted claim language. Note that the cam follower at column 33, line 17 is not disclosed to be connected to the pawl (second ratchet member) at column 33, line 23. Thus, claim 11 is not anticipated by *Kossak et al.*

New claim 16 is directed to a flossing device, comprising, among other things, a trigger having opposite first and second ends, wherein when said trigger is deactivated, said first end

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brakes rotation of said supply spool; and when said trigger is activated, said first end releases said supply spool whereas said second end moves to drive said take-up spool to rotate in a direction that causes unwinding of said supply spool. The new claim finds support in FIGs. 2 and 10. *Kossak et al.* do not appear to teach or disclose the highlighted limitation. *See*, for example, FIGs. 15-17 at 1006.

Claims 17-26 depend from claim 16, and are considered patentable at least for the reason advanced with respect to claim 16.

Each of the Examiner's rejections has been traversed. Accordingly, Applicants respectfully submit that all claims are now in condition for allowance. Early and favorable indication of allowance is courteously solicited.

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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FACSIMILE NUMBER 571-273-8300